

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

In re:	:	
	:	Case No.: 1:18-bk-01381-HWV
Jason M. Leckrone	:	Chapter 13
Bethany J. Leckrone	:	Judge Henry W. Van Eck
	:	*****
Debtor(s).	:	
	:	
U.S. Bank National Association	:	
Movant	:	
	:	
v.	:	
	:	
Jason M. Leckrone, Bethany J.	:	
Leckrone, Charles J. DeHart III, Trustee	:	
Respondents	:	

OBJECTION TO DEBTOR'S AMENDED CHAPTER 13 PLAN

Now comes U.S. Bank National Association ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and files this Objection to Debtor's Amended Chapter 13 Plan, averring as follows:

1. Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 441 Park Heights Blvd., Hanover, PA 17331. Creditor has filed proof of claim number 4 for the subject mortgage loan in the amount of \$245,178.82, and reflecting a pre-petition arrears amount of \$32,880.66.
2. Debtor's Amended Plan appears to modify the balance of Creditor's claim to \$101,707.20, listing Creditor under section 2.D. of the Plan, "Other secured claims". Such treatment is impermissible as Creditor is secured by a first mortgage lien on Debtor's property, and the property is listed as Debtor's principal residence in the Chapter 13 Voluntary Petition.
3. Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the

18-019457_JDD1

Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Amended Chapter 13 Plan.

Respectfully submitted,

/s/ Adam B. Hall

Karina Velter, Esquire (94781)
Kimberly A. Bonner (89705)
Adam B. Hall (323867)
Sarah E. Barngrover (323972)
Manley Deas Kochalski LLC
P.O. Box 165028
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Attorneys for Creditor
The case attorney for this file is Karina Velter.
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Leckrone, Charles J. DeHart III, Trustee	:	
Respondents	:	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection to Debtor's Amended Chapter 13 Plan was served on the parties listed below via e-mail notification:

United States Trustee, 228 Walnut Street, Suite 1190, Harrisburg, PA 17101

Charles J. DeHart III, Chapter 13 Trustee, 8125 Adams Drive, Suite A, Hummelstown, PA 17036

Stephen Wade Parker, Attorney for Jason M. Leckrone and Bethany J. Leckrone, Mooney and Associates, 230 York Street, Hanover, PA 17331, Mooneybkecf@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on September 28, 2018:

Jason M. Leckrone and Bethany J. Leckrone, 441 Park Heights Blvd., Hanover, PA 17331

Branch Bank & Trust, PO Box 200, Wilson, NC 27894

DATE: 09/28/2018

/s/ Adam B. Hall
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